IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO.5627 OF 2004
IN
CRIMINAL APPEAL NO.949 OF 2004

Sudhir Raosaheb Kale .. Applicant

vs.

The State of Maharashtra .. Respondent

Mr.J.B.Kocheta for applicant.

Smt.V.R.Bhonsale, APP for the State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 18th January, 2005

P.C.

Heard.

2. It cannot be said that there is no evidence establishing the complicity of the accused to the crime. Besides direct evidence of PW2 and PW5, there is circumstantial evidence against the accused-applicant.

3. The learned counsel for the applicant submitted that the applicant was on bail during the trial. The situation has surely changed thereafter as in the course of trial, the evidence has come that connects the accused with the crime.

4. We are informed by the learned Addl. Public Prosecutor that while the accused-applicant was on bail during the trial, he committed another offence of murder and a case under section 302 IPC is being proceeded with against him.

5. No case for grant of bail is made out.

6. Criminal application is, accordingly, rejected.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)